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Docket No. 114205-1000

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5-1-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :  
Denise R. Cooper, et al. : Group Art Unit: 1632  
Serial No. 09/435,471 : Examiner: Anne M. Baker  
Filed: November 8, 1999 :  
For: GLUCOSE REGULATED mRNA INSTABILITY ELEMENT :

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

This is an Amendment in response to the Office Action mailed March 28, 2001, having a one-month shortened statutory period of response set to expire by April 28, 2001. The following amendments and remarks are respectfully submitted.

**IN THE CLAIMS:**

Cancel claims 8-18, without prejudice or disclaimer.

**RESPONSE TO RESTRICTION REQUIREMENT**

Responsive to the requirement for restriction, Applicants elect Group I, claims 1-7 and 19-25, with traverse. As the Examiner is aware, a restriction requirement is proper when the claimed inventions are independent or distinct and when there is a serious burden on the Examiner to search the subject matter covered by the instant claims. See MPEP 803. It is respectfully submitted that the Examiner has made no such showing of a serious burden, and that Groups II, III, and IV appear to be reasonable and acceptable extensions of any search required for Group I. Applicants expressly reserve the right to prosecute claims 8 and 9 in Group II,